

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

IN THE MATTER OF THE COMPLAINT OF  
DUSTIN FAIRCLOTH AND NIKOLE TACKETT  
AS OWNERS AND JACOB V. BREAUX AS  
OWNDER PRO HAC VICE OF A CERTAIN 2019  
21' YAMAHA 212X, HULL ID NO. US-  
YAMCO201L819, AND HER ENGIES, TACKLE,  
APPURTENANCES, ETC., FOR EXONERATION  
FROOM AND/OR LIMITATION OF LIABILITY

**CASE NO. 3:19-CV-316**

**ADMIRALTY**

**NOTICE OF DISMISSAL  
WITH PREJUDICE**

TO THE HONORABLE JUDGE OF SAID COURT:

Claimants Elaine White and Rachelle Aston, as next friend of C.B., by and through their undersigned counsel and pursuant to Federal Rule of Civil Procedure 41(a) (2), file this Notice of Dismissal with Prejudice. In support thereof, Plaintiff states as follows:

1. On September 19, 2019, Dustin Faircloth, Nikole Tackett, and Jacob V. Breaux, (hereinafter “Plaintiffs-in-Limitation”) filed their Complaint, as owners and/or owner pro hac vice, in an action for exoneration from, or limitation of, liability pursuant to 46 U.S.C. § 30501, after a boating collision involving the vessel that left four people deceased. (Dkt. 1).
2. On December 12, 2019, the above-referenced claimants filed their Claim in this matter. (Dkt. 20).
3. On April 2, 2020 a Notice of Settlement was filed with the Court. (Dkt. 59).

4. On December 8, 2020, the mknor settlement hearing was held and the terms of the minor's settlement were approved by the Court. On December 13, 2020, the Court executed a partial judgment regarding the minor's settlement. (Dkt. 64).
5. Therefore, Claimants Elaine White and Rachelle Aston, as next friend of C.B., Dismiss their claims asserted in this action against Dustin Faircloth, Nikole Tackett, and Jacob V. Breaux.

Respectfully Submitted,

/s/ Jeff Benton  
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**ATTORNEY FOR CLAIMANTS ELAINE  
WHITE AND RACHELLE ASTON, AS  
NEXT FRIEND OF C.B.**

**CERTIFICATE OF SERVICE**

I hereby certify that on February 26, 2021, a true and correct copy of the foregoing document was served via the Court's CM/ECF system upon all counsel of record.

/s/ Jeff Benton  
Jeff Benton